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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,147	01/12/2001	Daniel A. Babbs	ASYS8102US0MEM	2364

23910 7590 09/16/2002

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EXAMINER

KEENAN, JAMES W

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 09/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/760,147

Applicant(s)

BABBS ET AL.

Examiner

James Keenan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 12-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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1. Claims 12-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in Paper No. 10.

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 8, line 4, "around within" is unclear.

Also in claim 1, line 8, "easy removal" is vague and subjective.

In claims 6-7 and 10-11, "said ... stocker" should be --said one or more ... stockers--.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 3-7 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Iizuka (US 4,999,671).

Iizuka shows a reticle “management” system comprising one or more load ports (not specifically disclosed but considered inherent), reticle transfer mechanism 50, and reticle stockers 2 which are portable and thus “capable of easy removal from and inclusion in the reticle management system”, as broadly and indefinitely claimed.

Although the stockers are disclosed for reticles in holders 4 rather than as “bare reticle stockers”, this nominal recitation is not considered a positive structural limitation. Iizuka is considered to show all structural components of the claim and is thus a proper anticipatory reference.

Nevertheless, in the event it is determined that the recitation of “bare reticle stockers” does define over Iizuka (or the claim is amended to further define this feature), it would have been

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obvious for one of ordinary skill in the art at the time of the invention to have modified the apparatus of Iizuka for use with bare reticles rather than those held in containers, as the Iizuka reference points out that this is well known in the art and would readily be incorporated without requiring undue experimentation or producing unexpected results.

Re claims 3-5, Iizuka discloses that a “suitable number” of stockers may be used. This is considered to be within the range specified.

Re claims 6-7, the stockers clearly could be stored remotely and used for bulk transport of reticles away from the system.

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iizuka in view of Ryan et al (US 5,972,727).

Iizuka does not show two load ports utilized for reticle sorting.

Ryan et al show a reticle management system wherein reticle sorter 300 includes load ports 360 and 370.

It would have been obvious for one of ordinary skill in the art at the time of the invention to have modified the apparatus of Iizuka by utilizing two load ports for reticle sorting, as Ryan et al teach this to be a desired and useful feature in a similar reticle management system.

9. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iizuka in view of Iwasawa et al (US 4,867,629).

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Although Iizuka shows the management system to include blower 103 and filters 105, the stocker does not include stacked annular carousels with radially oriented slots.

Iwasawa et al show a stocker for semiconductor articles comprising a plurality of stacked compartments 92 (considered to be annular carousels, absent any structural limitations) having radial openings for airflow circulated from a fan filter unit 182, 188.

It would have been obvious for one of ordinary skill in the art at the time of the invention to have modified the apparatus of Iizuka by constructing the stockers with stacked annular carousels, as shown by Iwasawa et al, as this would allow a greater number of reticles to be stocked in a clean, dustfree manner.

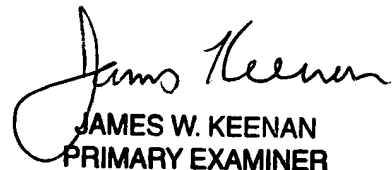
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Keenan whose telephone number is (703) 308-2559.

The fax phone number for the organization where this application is assigned is 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-1113.

jwk
September 10, 2002


JAMES W. KEENAN
PRIMARY EXAMINER